UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/AC.26/Dec.21 (1994)
21 October 1994

Original: ENGLISH

UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

MULTI-CATEGORY CLAIMS

Decision taken by the Governing Council of the United Nations Compensation Commission at its 46th meeting, held on 20 October 1994 in Geneva

In the course of processing the first instalments of claims in categories "A" and "C", the respective Panels of Commissioners observed that a number of claimants selecting a higher amount under category "A" (US$4,000 for individual claims or US$8,000 for family claims) had also filed in category "C". The instructions on the "A" form, however, specify that claimants selecting a higher amount "agree not to file claims under any other form or category".

In the light of these multi-category filings by certain claimants, the Panels of Commissioners for categories "A" and "C" in their reports and recommendations requested that the Governing Council make a determination as to whether or not compensation recommended by these Panels should be adjusted or otherwise dealt with.

Having received further background information from the secretariat on the circumstances appearing to give rise to multi-category filings in claim categories "A", "B", "C" and "D", noting that for a category "A" claimant to be eligible to file a claim in categories "B", "C" or "D," he or she must have selected a lower amount under category "A" (US$2,500 for individual claims or US$5,000 for family claims) and bearing in mind the application of Decision 17 [S/AC.26/Dec.17 (1994)], the Council has reached the following conclusions:

First, any claimant who has selected a higher amount under category "A" (US$4,000 or US$8,000) and has also filed a category "B", "C" or "D" claim will be deemed to have selected the corresponding lower amount under category "A";

Second, those successful individual claimants whose category "A" claims are being so adjusted will, pursuant to Decision 17, paragraph 2, receive an initial payment of US$2,500, but will not receive any additional payment under category "A" in the allocation stage of payments described in paragraph 6 of that Decision;

Third, those successful claimants whose category "A" family claims are being so adjusted will, pursuant to Decision 17, paragraph 2, receive an initial payment of US$2,500, but will receive only an additional payment under category "A" of US$2,500 in the allocation stage of payments described in paragraph 6 of that Decision;

Fourth, no later than at the beginning of the allocation stage of payments described in Decision 17, paragraph 6, the secretariat will inform governments as to which of its claimants are affected by this Decision.